

REMARKS

The renumbering of Claims 25-27 as 23-25 is acknowledged. Added Claims 26 and 27 presented in independent form are directed respectively to the embodiments of the presently cancelled Claims 15 and 16. Added Claims 28 to 41 are directed to embodiments wherein latex is of butadiene.

Support for the amendments of Claims 12 and 13 is found in the specification in page 5 lines 1-4.

Claims 12 and 13 stand rejected under 35 U.S.C. 112 second paragraph. The amendments to these claims are believed to address and overcome the rejection.

The objection to Claims 3, 5 and 26 (24) is believed addressed by the amendments to Claims 2, 4 and 26 (24) and the cancellation of Claim 27 (25).

The invention is directed to a molding composition the components of which include

(A) grafted rubber the polymerization of which having been initiated by ammonium, potassium or sodium peroxodisulfate and

(B) grafted rubber the polymerization of which having been initiated by a redox system.

Claims 30-43 are directed to embodiments where the rubber is formed of butadiene latex.

Claims 1-10, 12, 13 and 18-27 (25) stand rejected under 35 U.S.C. 102(b) as being anticipated by Koyama et al. (U.S. Patent 5,236,911).

Koyama disclosed methacrylic resin compositions that contain a two layer polymer. In Examples 10-12 there is described the preparation of a composition that contains

a two layer polymer obtained (per (a) of Example 1),
a rigid methacrylic resin powder (per (b) in Example 1), and
acrylic rubber (per (a) of Example 9).

The two layer polymer entails a product of the first polymerization (inner layer, column 6 lines 25-33) of 358 g of MMA, 15 g of EA and 7.5 g of AMA. The glass transition temperature of the copolymer thus obtained is estimated by Dr. Eichenauer

to be about 95°C, and at any rate above 0°C see enclosed Declaration. As such this component does not describe components A and B of the present invention, both requiring glass transition temperatures that lower than 0°C.

The rejection under section 102 is requested to be reconsidered and in light of the above withdrawn.

Claims 1-14, and 17-27 (25) stand rejected under 35 U.S.C. 102(b) as being anticipated by Eichenauer (WO 00/04067). The text of WO 00/04067 is acknowledged to be in the present context substantively identical to that of U.S. Patent 6,489,379.

The referenced composition contains a graft polymer obtained by emulsion polymerization using an initiator combination of a redox system and a persulfate. In contrast the inventive composition contains two different graft polymers, one obtained by redox initiation and the other by persulfate initiation. There is no basis apparent for wrongly construing the present claims as requiring a combination of initiators in the preparation of any of the grafted rubbers. The Applicants decline to adopt the Examiner's suggestion for amending the claims.

The rejection alleging anticipation over Eichenauer is believed untenable and its retraction is respectfully urged.

Believing the above represent a complete response to the Office Action and that the application is in condition for allowance, Applicants request the earliest issuance of an indication to this effect.

Respectfully submitted,

By



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